

JOSEPH P. RUSSONIELLO (CABN 44332)  
United States Attorney

BRIAN J. STRETCH (CABN 163973)  
Chief, Criminal Division

WENDY THOMAS (NYBN 4315420)  
Special Assistant United States Attorney

450 Golden Gate Avenue, 11th Floor  
San Francisco, California 94102  
Telephone: (415) 436-6809  
Fax: (415) 436-7234  
Email: wendy.thomas@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, ) Case No. CR 08-0428 MAG

Plaintiff, )

v. )

BRADLEY CALVIN SAYLOR, )

Defendant. )

**DECLARATION OF CAROL PERRY  
IN SUPPORT OF UNITED STATES'  
MOTION FOR SUMMONS**

I, Carol Perry, hereby declare as follows:

1. I am a law clerk in the United States Attorney's Office assigned to the prosecution of this case. I have received the following information from speaking to officers and agents and reviewing reports and other documents provided to me by the California Department of Fish and Game and the Fish and Wildlife Service.

2. On November 28, 2006, the California Department of Fish and Game received an anonymous "Caltip" regarding shipment of live Bighead Carp delivered to the 1100 block of Stockton Street in San Francisco.

3. On November 29, 2006, in response to this Caltip, Fish and Game Wardens Morton ("Morton") and Johnson ("Johnson") parked in the 1000 block of Stockton Street in an un-

1 marked Department of Fish and Game vehicle.

2 4. At approximately 7:15 a.m., Morton and Johnson witnessed a white flatbed truck  
3 containing live well fish tanks pull up in front of New Lun Wah, LLC. The store owner, later  
4 identified as Paul Lee ("Lee"), approached the truck and the two men in the truck, later identified  
5 as Bradley Saylor ("defendant") and Nicholas Wissert, began pulling the fish from the live wells  
6 on the truck with a net. Morton and Johnson witnessed the fish splashing water and jumping out  
7 of the tanks, and then being taken into the building by Lee and the defendant.

8 5. At approximately 7:20 a.m., Morton and Johnson approached this activity, asking the  
9 defendant what kind of fish they were delivering. The defendant replied, "Bighead Carp."

10 6. Johnson obtained the defendant's invoice #002367, which shows 2070 pounds of  
11 "Bighead - dead" were ordered by "New Lun Wah - Paul" for a total of \$3,105.00. The  
12 defendant confirmed that approximately 2070 pounds of live Carp were being delivered.

13 7. On November 30, 2006, Morton, Johnson, and Lieutenant Don Richardson contacted the  
14 defendant, requesting to see the defendant's permits. None of the permits indicate that the  
15 defendant is allowed to possess live Bighead Carp, and the defendant stated that he does not  
16 have such a permit.

17 8. The California Code of Regulations, 14 C.C.R. §671, makes it unlawful to import,  
18 transport, or possess live restricted animals, except under permit issued by the Department of  
19 Fish and Game. 14 C.C.R. § 671(a).

20 9. The restricted species include *Aristichthys nobilis* ("Bighead Carp"). 14 C.C.R.  
21 §671(c)(5)(J)(4).

22 //

23 //

24 //

25 //

26 //

27 //

28 //

1 10. I declare under penalty of perjury according to the laws of the United States that the  
2 foregoing is true and correct to the best of my knowledge and belief.

3  
4 Executed July 11, 2008, at San Francisco, California.

5  
6  
7 \_\_\_\_\_/s/  
8 CAROL PERRY  
9 Law Clerk  
10 United States Attorney's Office  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28